


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AVERY J. HARDAWAY	:	CIVIL ACTION
	:	
v.	:	NO. 24-1782
	:	
PHILADELPHIA POLICE 22ND-23RD, TEMPLE UNIVERSITY MINI POLICE STATION, ACME MARKETS, and INSOMNIA COOKIES	: : : : :	

ORDER

AND NOW, this 1st day of May 2024, upon reviewing the *pro se* Complaint (ECF No. 1) after granting leave to proceed without paying filing fees (ECF No. 5) consistent with our obligations to screen under 28 U.S.C. § 1915(e)(2)(B)(ii), noting Plaintiff identifies the basis for our jurisdiction as a federal question and diversity jurisdiction based on conduct involving an alleged assault at a supermarket but failing to plead our limited subject matter jurisdiction as we lack diversity and the Plaintiff does not identify a federal question, and for reasons in today's accompanying Memorandum, it is **ORDERED** the Complaint (ECF No. 1) is **DISMISSED** for lack of subject matter jurisdiction with leave to file an amended Complaint if Plaintiff can plead a federal question under the Law in an amended Complaint filed no later than **May 24, 2024** or we will then direct the Clerk of Court to close this case without prejudice to timely seek relief in state court.



KEARNEY, J.